

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CLAXTON H. WILLIAMS, JR.,

Plaintiff,

V.

ROD R. BLAGOJEVICH, et al.,

Defendants.

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Civil No. **06-772-MJR-CJP**

ORDER

PROUD, Magistrate Judge:

A review of the record reveals that the U.S. Marshals Service has been unable to effect service of summons and the complaint upon named defendant C/O Essary. The U.S. Marshals Service has reason to believe that an individual by that name is deceased.

IT IS THEREFORE ORDERED that, in accordance with Federal Rules of Civil Procedure 25 and 41, on or before **June 13, 2008**, plaintiff Williams shall notify the Court in writing of how he would like to proceed with respect to defendant C/O Essary. If plaintiff believes Essary is not deceased, plaintiff must forward additional information sufficient to better identify Essary and enable the U.S. Marshals Service to effect service. Failure to comply with this order in a manner will result in the dismissal of defendant Essary for failure to serve and prosecute this action against Essary.

IT IS SO ORDERED.

DATED: May 15, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE